

November 11, 2011

Sabrina Forrest ✓  
Site Assessment Manager

James B. Martin  
Administrator – Region 8

EPR-B  
1216774-R8 SDMS

Howard Cantor  
Deputy Regional Administrator – Region 8  
U.S. Environmental Protection Agency  
1595 Wynkoop Street  
Denver, CO 80202-1129

Dear Sabrina, Jim and Howard,

I am writing in support of the collaborative community process working on finding solutions to the Cement Creek water quality issues in San Juan County, Colorado. San Juan Citizens Alliance has been involved in the Animas River Stakeholders Group (ARSG) for many years, and is currently involved in the Upper Cement Creek Work Group.

The issue of mine drainage in Upper Cement Creek adding unacceptable quantities of metals to the Animas River is extremely significant and of great concern. We believe the EPA is rightfully involved in the issue, and are grateful for the significant resources and knowledge the EPA has provided to the process. We encourage the EPA to remain very involved, and we firmly believe any solutions must meet EPA approval.

At this point in time, we hope the EPA doesn't inadvertently undermine the voluntary collaborative, community driven process, set up under ARSG as the Upper Cement Creek Work Group (UCCWG). The UCCWG is actively exploring options for long-term, feasible, and effective solutions to the metal loading issue. San Juan Citizens Alliance is aware that EPA is considering sending 104(e) letters to PRPs and potentially putting the area on the NPL list. We are concerned that either of these actions could reduce the willingness of some of the entities currently active in the UCCWG to participate in the collaborative process. We therefore encourage the EPA to proceed with extreme caution.

San Juan Citizens Alliance is hopeful that the UCCWG process can make real headway on finding feasible technical solutions. The questions of long-term funding for operating and maintaining any physical treatment plant may prove more difficult, and may require additional EPA action and involvement when the group reaches that point in the process. However, the effectiveness of the ARSG has been well established, and we are hopeful that the UCCWG will prove capable of similar effectiveness.

Again, we are requesting the EPA to consider the effect of either NPL listing or 104(e) letters on the on-going collaborative process prior to taking either action. We firmly support the EPA's involvement in the process, but hope to maintain the collaborative nature of the process for as long as it appears both willing and capable of moving toward a solution.

Thank you for your attention to this issue and please contact me if you have any questions.

Respectfully,

Dan Randolph, Executive Director

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U.S. EPA Region 8  
RA's Office

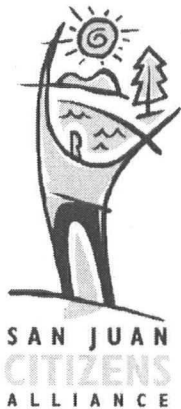
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